

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,

Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,

Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

FILED UNDER SEAL

NOTICE OF DEFENDANTS' / INTERVENORS' TRIAL DATE PREFERENCE

Pursuant to the Court's instructions during the February 3, 2025, discovery hearing Defendants AT&T Services, Inc., AT&T Mobility LLC, AT&T Corp., Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless, and T-Mobile USA, Inc. (together, "Defendants"), and Intervenors Ericsson Inc. and Nokia of America Corporation (together, "Intervenors") respectfully notify the Court of their preference that the first trial in these consolidated cases be reset for the week September 8, 2025. The Defendants and Intervenors note that collectively, they have other trials previously set by this Court on September 8 and September 22, 2025 and, therefore, neither date is conflict-free, but Defendants and Intervenors believe that the September 8, 2025 trial calendar involves conflicts that are more manageable.

Dated: February 4, 2025

Respectfully submitted,

/s/ Matthew S. Yungwirth

Deron R. Dacus (TBN 00790553)

ddacus@dacusfirm.com

THE DACUS FIRM, P.C.

821 ESE Loop 323
Suite 430
Tyler, Texas 75701
Telephone: 903.705.1117
Facsimile: 903.581.2543
Email: ddacus@dacusfirm.com

Matthew S. Yungwirth
Email: msyungwirth@duanemorris.com
John R. Gibson
Email: jrgibson@duanemorris.com
Alice E. Snedeker
aesnedeker@duanemorris.com

DUANE MORRIS LLP

1075 Peachtree Street NE, Suite 1700
Atlanta, GA 30309
Telephone: (404) 253-6900

Melissa R. Smith (TBN 24001351)

GILLAM & SMITH, LLP

303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

William A. Liddell
waliddell@duanemorris.com

DUANE MORRIS LLP

2801 Via Fortuna
Suite 200
Austin, Texas 78746-7567
Telephone: (512) 277-2272
Facsimile: (512) 227-2301

Tyler Marandola
tmarandola@duanemorris.com

DUANE MORRIS LLP

30 S. 17th Street
Philadelphia, PA 19103
Telephone: (215) 979-1000

Elissa Sanford
esanford@duanemorris.com

DUANE MORRIS LLP

901 New York Avenue NW

Suite 700 East
Washington, D.C. 20001-4795
Telephone: (202) 776-5231

Counsel for Defendants/Intervenors

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2025, all counsel of record were served with a copy of the foregoing document via electronic mail.

/s/ Melissa R. Smith

Melissa R. Smith